

REMARKS

Claims 1, 3-12, 14-23, and 25-32 were previously pending in this patent application. Claims 1, 3-12, 14-23, and 25-32 stand rejected. Herein, Claims 1, 12, and 23 have been amended. Accordingly, after this Amendment and Response After Final Action, Claims 1, 3-12, 14-23, and 25-32 remain pending in this patent application. Further examination and reconsideration in view of the claims, remarks and arguments set forth below is respectfully requested.

35 U.S.C. Section 103(a) Rejections

Claims 1, 3, 5-12, 14, 16-23, 25, and 27-32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mamiya et al., U.S. Patent No. 5,764,322 (hereafter Mamiya), in view of Kubo et al., U.S. Patent No. 6,456,279 (hereafter Kubo). These rejections are respectfully traversed.

Focusing on Independent Claim 1, the modified or combined references Mamiya and Kubo fail to teach all the claim limitations of Independent Claim 1. At page 3 of the Final Office Action, Figure 14 of Mamiya is cited as describing a reflective display disposed above said backlight device. Independent Claim 1 has been amended to recite the limitation, "a reflective display disposed vertically over said backlight device," (emphasis added). In contrast, Mamiya shows a liquid crystal display panel (100) being horizontal relative to a light source (114) and not being over the light source (114). (See Figure 14; Col. 1, lines 25-38). Further, Kubo discloses a display being horizontal relative to a light source and not being over the light source in Figure 2, Figure 4 (display 1 and light source 3), Figure 6, Figure 7 (display 1 and light source 3A), Figure 10 (display 1 and light source 3A), Figure 11 (display 1A-1Z and light source 3A), Figure 12

(display 1A-1Z and light source 3A), and Figure 24 (display 1 and light source 3A).

Continuing, Independent Claim 1 recites the limitations, “an embedded light guide which is embedded in said reflective display between and perpendicular to said top surface and said bottom surface of said reflective display,” (emphasis added), and, “wherein said embedded light guide is disposed entirely and vertically over said backlight device,” (emphasis added). At page 3 of the Final Office Action, it is admitted that Mamiya does not specifically describe the embedded light guide of Independent Claim 1. However, Figure 4 (element 2), Figure 7, Figure 11, and Figure 24 (element 2) of Kubo are cited as showing the embedded light guide of Independent Claim 1. Unlike the embedded light guide of Independent Claim 1, Figure 4 (element 2), Figure 7, Figure 11, and Figure 24 (element 2) of Kubo show a type of light guide that is not embedded between and perpendicular to the top and bottom surfaces of the reflective display and that is not disposed entirely and vertically over the backlight device. Moreover, element 6 of Kubo’s Figure 4 is improperly cited as a reflective display since Kubo clearly identifies element 6 of Figure 4 as being a microprism-patterned uneven portion. (See Kubo; Col. 9, lines 5-8). Further, elements 1E to 1K of Kubo’s Figure 11 are improperly cited as a type of light guide since Kubo clearly identifies elements 1G and 1H of Figure 11 as a sealing material and a liquid crystal layer, respectively. (See Kubo; Col. 13, lines 24-28).

Also, Independent Claim 1 recites the limitation, “a front light reflecting film disposed vertically over said top surface of said reflective display and said backlight device,” (emphasis added). At page 5 of the Final Office Action, element 116 of Mamiya’s Figure 14 is cited as corresponding to the front light

reflecting film. However, element 116 of Mamiya's Figure 14 is not disposed vertically over the top surface of the reflective display and the backlight device, as in the Independent Claim 1. On the contrary, element 116 of Mamiya's Figure 14 is disposed horizontally relative to the light source 114 and is not over the light source 114.

As discussed in detail above, the modified or combined references Mamiya and Kubo fail to disclose all the claim limitations of Independent Claim 1. Therefore, it is respectfully submitted that Independent Claim 1 is patentable over the modified or combined references Mamiya and Kubo and is in condition for allowance.

Dependent Claims 3 and 5-11 are dependent on allowable Independent Claim 1, which is allowable over the modified or combined references Mamiya and Kubo. Hence, it is respectfully submitted that Dependent Claims 3 and 5-11 are patentable over the modified or combined references Mamiya and Kubo for the reasons discussed above.

With respect to Independent Claims 12 and 23, it is respectfully submitted that Independent Claims 12 and 23 recite similar limitations as in Independent Claim 1. In particular, Independent Claims 12 recites, "a reflective display disposed vertically over said backlight device and comprising a top surface, a bottom surface, and an embedded light guide which is embedded in said reflective display between and perpendicular to said top surface and said bottom surface of said reflective display, wherein said embedded light guide is for conducting light from said backlight device to an area in front of said top surface of said reflective display, wherein said embedded light guide is disposed entirely

and vertically over said backlight device; and a front light reflecting film, comprising at least one reflective microstructure, disposed vertically over said top surface of said reflective display and said backlight device," (emphasis added). Independent Claims 23 recites, "a reflective display disposed vertically over said backlight device and comprising a top surface and a bottom surface; a plurality of embedded light guides which are embedded in said reflective display between and perpendicular to said top surface and said bottom surface of said reflective display and enclosing a display area within said reflective display, wherein said plurality of embedded light guides conduct light from said backlight device to an area in front of said top surface of said reflective display, wherein said embedded light guides are disposed entirely and vertically over said backlight device; and a front light reflecting film disposed vertically over said top surface of said reflective display and said backlight device," (emphasis added). As discussed above, the modified or combined references Mamiya and Kubo fail to disclose the cited limitations. Therefore, Independent Claims 12 and 23 are allowable over the modified or combined references Mamiya and Kubo for reasons discussed in connection with Independent Claim 1.

Dependent Claims 14, 16-22 and Dependent Claims 25, 27-32 are dependent on allowable Independent Claims 12 and 23, respectively, which are allowable over the modified or combined references Mamiya and Kubo. Hence, it is respectfully submitted that Dependent Claims 14, 16-22, 25, and 27-32 are patentable over the modified or combined references Mamiya and Kubo for the reasons discussed above.

At page 6 of the Final Office Action, it is stated that Claims 7, 8, 18, 19, 29, 30, and 31 recite limitations directed to the manner in which the claimed

apparatus is intended to be employed, citing the court decision EX PARTE MASHAM, 2 USPQ 2d 1647 (1987). More specifically, it is argued, "limitations the reflective display is used as a electronic ink display and electronic paper display," (emphasis added), are directed to the manner in which the claimed apparatus is intended to be employed.

However, the term "used" is not found in the Claims 7, 8, 18, 19, 29, 30, and 31. Moreover, Claims 7, 8, 18, 19, 29, 30, and 31 have a limitation format similar to the limitation format of Claims 3, 5, 14, 16, 25, and 27, which were not identified as being directed to the manner in which the claimed apparatus is intended to be employed. Further, the limitation "completely submerged in the developer material" was found to relate to the intended manner of employing the claimed apparatus in the court decision EX PARTE MASHAM. Unlike the limitation in EX PARTE MASHAM, Claims 7, 8, 18, 19, 29, 30, and 31 have the terms "is" or "comprises" to claim specific embodiments rather than claim the manner in which the claimed apparatus is intended to be employed. Therefore, Claims 7, 8, 18, 19, 29, 30, and 31 are patentable over the modified or combined references Mamiya and Kubo for these additional reasons.

Claims 4, 15, and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mamiya et al., U.S. Patent No. 5,764,322 (hereafter Mamiya), in view of Kubo et al., U.S. Patent No. 6,456,279 (hereafter Kubo), and in view of Hirakata et al., U.S. Patent No. 6,191,833 (hereafter Hirakata). These rejections are respectfully traversed.

Dependent Claim 4, Dependent Claim 15, and Dependent Claim 26 are dependent on allowable Independent Claims 1, 12, and 23, respectively, which

are allowable over the modified or combined references Mamiya and Kubo. Moreover, Hirakata does not disclose a reflective display disposed vertically over the backlight device, does not disclose embedded light guide(s) which is embedded in the reflective display between and perpendicular to the top and bottom surfaces of the reflective display, does not disclose the embedded light guide(s) is disposed entirely and vertically over the backlight device, and does not disclose a front light reflecting film disposed vertically over the top surface of the reflective display and the backlight device, as in Independent Claims 1, 12, and 23. Hence, it is respectfully submitted that Independent Claims 1, 12, and 23 are patentable over the modified or combined references Mamiya, Kubo, and Hirakata for the reasons discussed above. Since Dependent Claims 4, 15, and 26 depend from Independent Claims 1, 12, and 23, respectively, it is respectfully submitted that Dependent Claims 4, 15, and 26 are patentable over the modified or combined references Mamiya, Kubo, and Hirakata for the reasons discussed above.

CONCLUSION

It is respectfully submitted that the above claims, remarks, and arguments overcome all rejections and objections. All remaining claims (Claims 1, 3-12, 14-23, and 25-32) are neither anticipated nor obvious in view of the cited references. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 1, 3-12, 14-23, and 25-32) are in condition for allowance.

The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,

MURABITO HAO & BARNES, LLP

Dated: _____

10/9/2007

Jose S. Garcia

Jose S. Garcia
Registration No. 43,628

Two North Market Street, Third Floor
San Jose, CA 95113
(408) 938-9061